

House File 378 - Introduced

HOUSE FILE 378

BY SALMON

A BILL FOR

1 An Act relating to grounds for discipline of physicians and
2 surgeons, osteopathic physicians and surgeons, and physician
3 assistants, and including effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 147.55, Code 2015, is amended to read as
2 follows:

3 **147.55 Grounds.**

4 1. A licensee's license to practice a profession shall be
5 revoked or suspended, or the licensee otherwise disciplined by
6 the board for that profession, when the licensee is guilty of
7 any of the following acts or offenses:

8 ~~1.~~ a. Fraud in procuring a license.

9 ~~2.~~ b. Professional incompetence.

10 ~~3.~~ c. Knowingly making misleading, deceptive, untrue, or
11 fraudulent representations in the practice of a profession
12 or engaging in unethical conduct or practice harmful or
13 detrimental to the public. Proof of actual injury need not be
14 established.

15 ~~4.~~ d. Habitual intoxication or addiction to the use of
16 drugs.

17 ~~5.~~ e. Conviction of a crime related to the profession
18 or occupation of the licensee or the conviction of any crime
19 that would affect the licensee's ability to practice within
20 a profession. A copy of the record of conviction or plea of
21 guilty shall be conclusive evidence.

22 ~~6.~~ f. Fraud in representations as to skill or ability.

23 ~~7.~~ g. Use of untruthful or improbable statements in
24 advertisements.

25 ~~8.~~ h. Willful or repeated violations of the provisions of
26 this chapter, chapter 272C, or a board's enabling statute.

27 ~~9.~~ i. Other acts or offenses as specified by board rule.

28 2. a. A physician's or physician assistant's license
29 shall not be revoked or suspended, or the licensee otherwise
30 disciplined by the board of medicine or board of physician
31 assistants, as applicable, based solely on the licensee's
32 recommendation or provision of a treatment method for lyme
33 disease or other tick-borne disease that is not universally
34 accepted by the licensee's profession.

35 b. As used in this subsection, "physician" means a person

1 licensed to practice medicine and surgery or osteopathic
2 medicine and surgery in accordance with chapter 148 and
3 "physician assistant" means a physician assistant licensed in
4 accordance with chapter 148C.

5 c. This subsection shall not exempt a licensee from
6 otherwise applicable professional requirements or standards.

7 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
8 immediate importance, takes effect upon enactment.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill exempts physicians and surgeons, osteopathic
13 physicians and surgeons, and physician assistants from license
14 revocation or suspension and other discipline based on the
15 recommendation or provision of a treatment method for lyme
16 disease or other tick-borne disease that is not universally
17 accepted by the person's profession. The bill does not exempt
18 physicians and surgeons, osteopathic physicians and surgeons,
19 and physician assistants from any otherwise applicable
20 requirements or standards.

21 The bill takes effect upon enactment.